

1 Rene L. Valladares  
Federal Public Defender  
2 Nevada State Bar No. 11479  
JoNell Thomas  
3 Assistant Federal Public Defender  
Nevada State Bar No. 4771  
4 411 E. Bonneville, Ste. 250  
Las Vegas, Nevada 89101  
5 (702) 388-6577  
JoNell\_Thomas@fd.org  
6 Attorneys for Jason Garrett

7  
8 **United States District Court**  
9 **District of Nevada**

10 United States of America,  
11 Plaintiff,  
12  
13 v.  
14 Jason Garrett,  
15 Defendant.

Case No. 2:15-cr-00031-KJD-NJK

**Unopposed Motion for Copies of  
Non-Public Docket for Appellate  
Purposes**

16  
17 Defendant Jason Garrett, through counsel, moves this Court for an order  
18 permitting the Clerk's office to provide copies of the non-public docket sheet to  
19 undersigned counsel and counsel for the government. The non-public docket is  
20 necessary for the parties to assemble and review Mr. Garrett's record for his appeal  
21 from this Court's order revoking his supervised release. *United States v. Jason*  
22 *Garrett*, 9th Cir. No. 24-3354. The non-public docket sheet lists all sealed or restricted  
23 documents not viewable on the public docket sheet. From the public docket, counsel  
24 has identified several missing docket entries: Dkt. Nos. 4, 8, 38, 62, and 61.

25 Without the non-public docket sheet, the parties cannot determine the nature  
26 and relevance of the sealed or restricted documents for appeal. Review of the non-  
27 public docket sheet will permit the parties to effectively determine which sealed or

1 restricted documents need to be obtained and reviewed for direct appeal. If, after  
2 reviewing the non-public docket sheet, either party requires review of certain sealed  
3 or restricted documents, the party will request such items with specificity in a  
4 separate motion.

5 Access to the non-public docket is, therefore, necessary for counsel to provide  
6 constitutionally adequate representation for Mr. Garrett and so the parties can  
7 accurately provide and cite to the record on appeal. *See* Fed. R. App. P. 10(a); 9th Cir.  
8 Rules 10-2(b), 28-2.8, and 30-1; *see also, e.g., United States v. Knight*, No. 3:19-cr-  
9 00038-MMD-CLB, ECF No. 214 (D. Nev. Sept. 28, 2021) (granting unopposed motion  
10 for copy of non-public docket for appellate purposes).

11 For these reasons, undersigned counsel request the Court order the Clerk's  
12 office to provide copies of the non-public docket sheet to undersigned counsel and  
13 counsel for the government. A proposed order is attached for the Court's convenience.

14 The undersigned has contacted counsel for the government, Assistant United  
15 States Attorneys Adam Flake and Robert Knief, and the government does not oppose  
16 this motion.

17 Dated: July 29, 2024.

Respectfully Submitted,

18 RENE L. VALLADARES  
19 Federal Public Defender

20 By: s/ JoNell Thomas

21 JoNell Thomas  
22 Assistant Federal Public Defender  
23  
24  
25  
26  
27

**Certificate of Service**

I certify that on July 29, 2024, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the District of Nevada by using the appellate CM/ECF system. Participants registered CM/ECF users will be served by the appellate CM/ECF system. The following non-CM/ECF participants will be served by U.S. Mail: **Mr. Jason Garrett**

/s/ *Jeremy Kip*

Federal Public Defender Employee

United States District Court  
District of Nevada

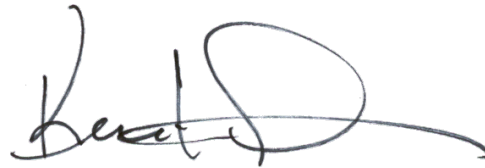
United States of America,  
Plaintiff,  
v.  
Jason Garrett,  
Defendant.

Case No. 2:15-cr-00031-KJD-NJK

**Order Permitting Copies of  
Non-Public Docket for Appellate  
Purposes**

IT IS HEREBY ORDERED that the Clerk's Office provide copies of the complete, non-public docket sheet to counsel for Jason Garrett and counsel for the United States of America.

**Dated:** August 5, 2024.



U.S. DISTRICT COURT JUDGE